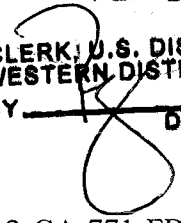


FILED

FEB 20 2013

CLERK, U.S. DISTRICT COURT
WESTERN DISTRICT OF TEXAS
BY  DEPUTY CLERKIN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

CRYSTAL CLAYTON,

Plaintiff,

VS.

COMMERCIAL RECOVERY SYSTEMS,

Defendant.

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CIVIL ACTION NO. SA-12-CA-771-FB

**JUDGMENT BY DEFAULT PURSUANT TO RULE 55 OF
THE FEDERAL RULES OF CIVIL PROCEDURE**

Before the Court is Plaintiff's Application for Default Judgment filed February 6, 2013 (docket #11). A Clerk's Entry of Default was filed on February 6, 2013, based on the defendant's failure to plead or otherwise defend in this action as directed in the summons and as provided in the Federal Rules of Civil Procedure, against Commercial Recovery Systems, Inc. (docket #13). The record also reflects the defendant was served on August 27, 2012 (docket #6), when Jason Carson served the "Texas Secretary of State by delivering a true copy of the Summons and Complaint with the date of service endorsed thereon by me, to: Helen Lupercio . . . as the designated agent for the Texas Secretary of State to accept service of process on behalf of Commercial Recovery Systems, Inc." The Court has considered the motion and the evidence and authorities presented and finds the application has merit, is supported, and should be granted.

Accordingly, IT IS HEREBY ORDERED that the Application for Default Judgment (docket #11) is GRANTED such that IT IS ORDERED, ADJUDGED, AND DECREED that Plaintiff Crystal Clayton have and recover of and from Defendant Commercial Recovery Systems, Inc. judgment in the sum of FOUR THOUSAND FIVE HUNDRED TEN AND NO/100 DOLLARS (\$4,510.00), representing statutory damages in the amount of \$1,000.00; \$3,000 in attorney's fees, and \$510.00 in court costs, plus prejudgment interest. Post-judgment interest is awarded at the rate of 0.15% per annum until paid in full, to be compounded annually pursuant to the provisions of 28 U.S.C. § 1961(b). All writs and process for the enforcement and collection of this Judgment may issue as necessary.

IT IS FURTHER ORDERED that this case is now CLOSED. Motions pending, if any, are DISMISSED.

It is so ORDERED.

SIGNED this 20th day of February, 2013.



FRED BIERY
CHIEF UNITED STATES DISTRICT JUDGE